GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department – Sri P.Nageswara Rao, SE., PR., Nellore and the then EE., PRI Division, Kadapa YSR District - Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 347 **Dated: 18-04-2018**

ORDER:

It is proposed to hold an inquiry against Sri P.Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri P.Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District is directed to submit his written statement of defence within ten (10) days of the receipt of this order.

4. Sri P.Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri P.Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District is further informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri P.Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri P. Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P. Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District **through** the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.
The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve and return the acknowledged copy and Written Statement of Defense).

Copy to:
The Genl. Admn. (Vigilance & Enforcement) Department, Administrative block, 2nd floor, Pandit Nehru Bus Station, Vijayawada.
The Secretary, Andhra Pradesh Vigilance Commission, 5th Block, first floor, Sectt., Buildings, Velagapudi, Guntur Dist.
The Panchayat Raj & Rural Development (Establishment - I) Department.
S.f./S.c.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., NELLORE AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT

CHARGE:-

That Sri P. Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District has committed grave irregularities in execution of project for Comprehensive development of SC/ST Colonies under MGNREGS for "providing internal Roads with CC Drains at 10th ward of SC colony of Kamalapuram Mandal" in YSR Kadapa Dist., and caused loss to the Government exchequer to a tune of Rs. 33,83,720/-., in as much as he:-

i. Allowed payment without ascertaining the quality of work executed resulting in substandard quality of work, ultimately caused loss of Rs.30,69,721/- to Govt. exchequer and laid CC pavement without obtaining mix report and giving approval.
ii. Did not check measure the work as per guidelines of APPW account code.
iii. Issued proceedings changing the grade of concrete from M30 to M20 for CC pavement after execution and after payment to safeguard the erring officials.

Thus, Sri P. Nageswara Rao, Superintending Engineer, Panchayat Raj, Nellore and the then Executive Engineer, PRI Division, Kadapa YSR District by his above mentioned acts, has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., NELLORE AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT

The Vigilance & Enforcement Department has inspected the work "Providing internal Roads with CC Drains 10th ward of SC colony of Kamalapuram Mandal" YSR Kadapa Dist." and furnished their report in Vigilance Report No.70 (40-4/V&E/E/2015), dated:31.07.2017 with the following findings :-

i. Sub grade soil exploration was not conducted and the crust of the pavement was neither designed nor approved. The 125mm thickness of CC pavement, provided in the approved estimate is insufficient as per table 5 of IRC SP 62 – 2004, but sub base thickness provided is more than that required.

ii. The field officers laid the CC pavement without obtaining the Mix design report from agency and without obtaining approval from the competent authority.

iii. The compressive strength of CC pavement and CC drain was tested by extracting 15 CC cores from hardened concrete and it was found that the strength obtained was not satisfying the strength requirement as per Clause 17.4.3 of IS456 -2000. The rejected value of CC pavement due to substandard quality is Rs.30,69,721/-. Relaying of rejected CC pavement should be made at the cost of the then Sarpanch, Kamalapuram Gram Panchayat of Kamalapuram Mandal

iv. The SE, PR circle, Kadapa, had issued proceedings vide reference AEE1/MGNREGS/CC roads & drains /complaints/2013, dt.28.03.2015 changing grade of concrete from M30 to M20 for CC pavement after execution of work and making payment, to safeguard the field staff.

v. Shortfall in thickness of GSB is more than 20%, hence rejected and is to be redone. However relaying of GSB is not possible after laying of CC pavement. Hence the rejecrted value of the work Rs.2,54,519/- is proposed for recovery from the agency.

vi. The measurements of WBM were recorded, without actually laying in the road from R&B road to Church via MP Guest house where the CC pavement was laid on existing BT road for a length of 125m. Since relaying of WBM is not possible after laying of CC pavement, an amount of Rs.28,373/- is proposed for recovery from the agency.

vii. Gravel shoulders of 0.75m width provided on both sides of the carriage way were not executed, but measurements were recorded and payment was made to the agency. The payment made for Gravel shoulders Rs.31,107/- without actually laying, is proposed for recovery.

viii. The Executive Engineer and Superintending Engineer have not check measured the work as per guidelines of APPW account code.

ix. The work was not completed in all respects as on 14-12-2016 and there was a huge unspent balance in the sanctioned estimate. No action was initiated by the field staff to complete the work in full shape.

Thus, the above accused officer has failed to discharge his legitimate duties properly and acted for his personal gain and caused loss to the Government, to a tune of Rs. 33,83,720/- in contravention of APCS (Conduct) Rules, 1964.

Hence, the charge.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE -III

List OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., NELLORE AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.70 (C.No.40-4/V&E/E/2015) dated:31.07.2017

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI P.NAGESWARA RAO, SE., PR., NELLORE AND THE THEN EE., PRI DIVISION KADAPA YSR DISTRICT ARE PROPOSED TO BE SUSTAINED

NIL

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER